

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

KAISER KABIR,	§	
	§	
Plaintiff,	§	
	§	Case No. 1:20-cv-01246
v.	§	
	§	
TRANS UNION LLC,	§	
	§	
Defendant.	§	

DEFENDANT TRANS UNION LLC'S NOTICE OF REMOVAL

Trans Union LLC ("Trans Union"), files this Notice of Removal pursuant to 28 U.S.C. § 1446(a), and in support thereof would respectfully show the Court as follows:

A. PROCEDURAL BACKGROUND

1. On November 18, 2020, Plaintiff Kaiser Kabir ("Plaintiff") filed Plaintiff's Petition ("Petition") in the Justice Court of Travis County, Texas, under Case No. J5-CV-10-258398 ("State Court Action") alleging that Trans Union violated the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681 *et seq.* and other state laws.

2. The time period for filing a responsive pleading in the State Court Action has not expired as of the filing of this Notice of Removal.

3. Defendant Trans Union was served with Plaintiff's Petition on December 14, 2020. This Notice of Removal is being filed within the thirty (30) day time period required by 28 U.S.C. §1446(b).

B. GROUNDS FOR REMOVAL

4. The present suit is an action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1331, as it is a civil action founded on a claim or right arising under the laws of the United States, and may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1446(b). Removal is proper because Plaintiff's claims present a

federal question. *See* 28 U.S.C. §§ 1331 and 1441(a). In the Petition, Plaintiff seeks damages for Defendant's alleged violations of the FCRA.

C. COMPLIANCE WITH PROCEDURAL REQUIREMENTS

5. Pursuant to 28 U.S.C. § 1446(b), this Notice is being filed with this Court within thirty (30) days after Defendants were first served with the Petition, the initial pleading setting forth the claims for relief upon which Plaintiff's action is based.

6. Pursuant to 28 U.S.C. § 1441(a), venue of the removal action is proper in this Court because it is in the district and division embracing the place where the state court action is pending.

7. Promptly after the filing of this Notice of Removal, Trans Union will give written notice of the removal to Plaintiff, and will file a copy of this Notice of Removal with the Justice Court of Travis County, Texas, as required by 28 U.S.C. § 1446(d).

8. Trial has not commenced in the Justice Court of Travis County, Texas.

9. Pursuant to 28 U.S.C. § 1446(a), a copy of all executed process, pleadings asserting causes of action, and orders in the State Court Action are attached hereto as **Exhibit A**.

WHEREFORE, PREMISES CONSIDERED, Trans Union LLC respectfully prays that the action be removed to this Court and that this Court assume full jurisdiction as if it had been originally filed here.

Respectfully Submitted,

/s/ Lauren Wood

LAUREN WOOD

lwood@qslwm.com

Texas State Bar No. 24071186

**QUILLING, SELANDER, LOWNDS,
WINSLETT & MOSER, P.C.**

6900 N. Dallas Parkway, Suite 800
Plano, Texas 75024

(214) 560-5444

(214) 871-2111 Fax

Counsel for Trans Union LLC

CERTIFICATE OF SERVICE

I hereby certify that on December 24, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all attorneys of record via the transmission of Notices of Electronic Filing generated by CM/ECF.

None.

I hereby certify that I have mailed by United States Postal Service the above and foregoing document to the following non-CM/ECF participants:

Kaiser Kabir
kh0486@aol.com
70 Rainey, #2303
Austin, TX 78701
(512) 627-1285
Pro Se Plaintiff

/s/ Lauren Wood
LAUREN WOOD